

REMARKS

Claims 1-5, 8, 12-16, 18, 19, and 26-38 are pending.

In the Office Action, claims 1-5, 8, 12-16, 18, 19, and 26-32 were rejected under 35 USC § 103(a) based on a Barrus-Takahashi-Shaw combination. Applicants request the Examiner to withdraw this rejection for the following reasons.

The Barrus patent discloses a method which allows a user to remotely access multimedia messages. As noted by the Examiner, the method is performed using an object-indexing unit 306. However, this unit does not perform the setting step of claim 1.

More specifically, the purpose of the object-indexing unit is to assign an index number to the attachments of a multimedia message, and not to the message itself. See column 8, lines 42-46, which discloses that the object-indexing unit stores indices for current and future use in accessing a message's portions, which corresponds to the objects and attachments of a multimedia message. The Barrus patent, then, discloses that these indices are described relative to Figures 11A and 11B.

Referring to Figures 11A and 11B, the Barrus patent discloses that the objects which can be attached to a multimedia message include an audio clip (column 18, lines 40-41), a document (column 18, lines 52-55), an image (column 19, lines 7-10), or a video clip (column 19, lines 27-30). In performing its storing function, the object-indexing unit generates an index number for the object and not the multimedia message.

That is, as disclosed at column 18, lines 22-30, the Barrus method first identifies a multimedia message. Then, the object or message portions contained in the multimedia message are identified. The object is then retrieved from storage. An index number (which was compared to the “first index value” of claim 1) is then provided for the object, not the message. In the case where the object is an audio clip, column 18, lines 41-46, provides:

If the retrieved object is an audio clip, the method generates 1112 an index for the object based on the object number (step 1108). and a number associated with the action of playing an audio message. For example, the present invention provides the number “1” as indicating an action of playing a message.

Other index numbers are generated for image, document, and video clip-type objects. But in no case do any of these index numbers identify the multimedia message itself.

To emphasize these differences, claim 1 has been amended to recite: “setting a first index value of the multimedia message, wherein the first index value is set as a value to identify and discriminate the multimedia message from other multimedia messages.” In addition, claim 1 recites: “the first index value identifying the multimedia message without identifying any attachments to the multimedia message.” This value may include or be based on, for example, a telephone number or address. (See Paragraphs [24]-[29]).

Claim 1 further recites “receiving information including a second index value from the user agent, wherein the second index value indicates whether the multimedia message to be forwarded is a new multimedia message or a previously sent multimedia message.” The Examiner relied on the disclosure at column 24, lines 35-58, and Figure 3 of Barrus to provide

these features. However, the index numbers disclosed here are generated by the object-indexing unit and therefore correspond to the same index numbers which the Examiner indicated corresponds to the first index value of claim 1.

Moreover, as previously indicated, each of the index numbers assigned by the object-indexing unit (as explained at column 24) identify the objects (attachments) of a multimedia message and not the message itself. This is to allow a user to retrieve the object quickly from the database so that it can be attached to the message (column 18-23-67), or to allow a recipient of the message to retrieve the object once it has been stored in the recipient's terminal (column 20, lines 56-58).

None of the index numbers generated by the object-indexing unit of Barrus provides an indication of "whether the multimedia message to be forwarded is a new multimedia message or a previously sent multimedia message" as recited in claim 1.

Claim 1 further recites that if a storing time of the multimedia message in the storage device elapses, the second index value is set as a value indicating a new multimedia message even though the multimedia message to be forwarded is a previously sent multimedia message. These features are not taught or suggested by Barrus.

Because the Barrus patent does not teach or suggest the second index value, the Barrus patent also does not teach or suggest the searching and forwarding steps which are performed based on the second index value. That is, Barrus does not teach or suggest: "searching whether the multimedia message to be forwarded exists in the storage device based on a comparison of the second index value in the information received from the user agent and the first index value

set in the stored multimedia message.” Barrus also does not teach or suggest “forwarding the multimedia message produced by the search.”

The Takahashi patent discloses a system which automatically generates a keyword based on text included in a message (column 10, lines 18-20, and column 11, lines 27-32), and which then allows a user to search for that message based on the keyword (column 11, lines 8-19).

While the Takahashi patent allows a user to search for a multimedia file based on a text keyword, Takahashi does not teach or suggest a second index value, i.e., an index value which “indicates whether the multimedia message to be forwarded is a new multimedia message or a previously sent multimedia message” as recited in claim 1.

Moreover, one skilled in the art would not have been motivated to combine Barrus with Takahashi. As indicated, the index in Barrus is a number (e.g., “1” followed by more numbers) that corresponds to an attachment to a message, and the keyword in Takahashi is text. If Barrus were modified with Takahashi, that modified system would search for a text keyword that identifies an attachment to a message. This would fall short of forming the claimed invention.

Furthermore, Takahashi does not teach or suggest “searching whether the multimedia message to be forwarded exists in the storage device based on a comparison of the second index value in the information received from the user agent and the first index value set in the stored multimedia message,” or “forwarding the multimedia message produced by the search, wherein, if a storing time of the multimedia message in the storage device elapses, the second index value is set as a value indicating a new multimedia message even though the multimedia message to be forwarded is a previously sent multimedia message.”

The Shaw patent discloses a method for generating a message in accordance with Figures 9 and 10. According to these figures, a user is allowed to set the style and color of the message. However, these features are used in generating a message for a first time and does not provide for setting an index value for the message as indicated in claim 1. That is, claim 1 requires the second index value to designate a message as a new message, even though the message was a previously sent message. Moreover, the second index value of claim 1 is set in this manner based on whether or not a certain storing time has elapsed.

These features of claim 1 are not taught or suggested by the cited references, nor are any of the other features of claim 1 missing from the Barrus and Takahashi patents taught or suggested by Shaw.

In view of the foregoing differences, it is respectfully submitted that claim 1 is allowable over the cited combination. Furtherance of claim 1 and its dependent claims to allowance is respectfully requested.

Claim 8 recites that “the index value indicates whether the multimedia message is a new multimedia message or a previously sent multimedia message, the index value having a first value when the multimedia message is a new multimedia message and a second value when the multimedia message is a previously sent multimedia message.” These features are not taught or suggested by the Barrus, Takahashi, and Shaw patents, whether taken alone or in combination.

Further, claim 8 recites “if a storing time of the multimedia message in the mailbox elapses, the index value is set as a value indicating a new multimedia message even though the

multimedia message to be forwarded is a previously sent multimedia message.” The cited references also do not teach or suggest these features.

Claims 3 and 12 were rejected under 35 USC § 103(a) for being obvious in view of a Barrus-Takahashi-Shaw-Kuthyar combination. Applicants traverse this rejection on grounds that the Kuthyar patent does not teach or suggest the features of base claims 1 and 8 missing from the other references forming the cited combination.

Claims 33-38 were rejected under 35 USC § 103(a) for being obvious in view of a Barrus-Takahashi combination. Applicants request that the Examiner withdraw this rejection for the following reasons.

Claim 33 recites transmitting one of (a) a multimedia message including an index value in a header of the multimedia message, wherein the index value indicates that the multimedia message is a new multimedia message or a changed multimedia message from a previously sent multimedia message, or (b) only a header of a multimedia message, wherein an index value of the header indicates the multimedia message was a previously sent multimedia message, which has not changed.

The cited references do not teach or suggest use of either type of index value. In Barrus, the index value relates to attachments to a multimedia message, not the multimedia message itself. And in Takahashi, a keyword is generated for each message, but that keyword is taken from text included in the message. For example, if the body of the message includes the name “Peter,” then the keyword for the message may be Peter. This type of keyword does not correspond to either type of index value recited in claim 33.

Claim 33 further recites receiving one of the header in (b) or the multimedia message in (a), wherein when only the header in (b) is received, the method further comprises retrieving the multimedia message having a corresponding index value as the received header from a storage device. Since the cited references do not teach or suggest the index value, it follows that these steps are also not taught or suggested because they are based on that index value.

Based on these differences, it is respectfully submitted that claim 33 is allowable over the cited combination. Furtherance of claim 33 and its dependent claims to allowance is respectfully requested.

In view of the foregoing amendments and remarks, it is submitted that the application is in condition for allowance. Favorable consideration and timely allowance of the application is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

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